

# **TEXAS JUVENILE PROBATION COMMISSION BOARD MEETING**

**March 25, 2011  
Brown-Heatly Building  
Austin, Texas**

## **COMMISSIONERS PRESENT**

Ray West, Chair  
Jean Boyd  
Will Conley  
Billy Wayne McClendon  
Rene Ordoñez  
Bob Shults

## **COMMISSIONERS ABSENT**

Migdalia Lopez  
Scott O'Grady  
Lea R. Wright

## **TJPC MANAGEMENT STAFF PRESENT**

Vicki Spriggs, Executive Director  
Lisa Capers, Deputy Executive Director and General Counsel  
Bill Monroe, Chief Financial Officer  
Annie Collier, Deputy Chief Financial Officer  
Kevin DuBose, Director Abuse, Neglect & Exploitation  
Scott Friedman, Director Compliance  
Genovia Spencer, Human Resource Manager  
Cindy Weisinger, Director Training

## **TJPC STAFF PRESENT**

Kati Branch  
Linda Brown  
Luis Guerrero  
Rachael Kapur  
Diane Laffoon  
Kaci Sohrt

**1. Call to Order – R. West**

Commissioner Ray West called the board meeting of the Texas Juvenile Probation Commission to order at 9:14 a.m.

**2. Excuse Absences – R. West**

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Ordoñez to excuse the absence of Commissioners Lopez, O'Grady and Wright. Motion passed unanimously.

**3. Approval of Minutes from January 21, 2011 Board Meeting – R. West**

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Shults to approve the minutes as presented. Motion passed unanimously.

**4. Update on Fiscal Year 2011 Expenditures – B. Monroe**

Due to fast moving events at the Capitol, there is a replacement hand-out for page #18 in the board packet. The Commission is budgeted at 3.46% for administrative staff and operations, and the year to date budget for that line item is at 2.79%. This is a clear indication that the Commission is keeping close within the budget.

Overall the budget has been reduced by 3.23%. The lines that read as a non-percent reimbursement or a quarterly payment do not follow a normal percentage payout for reasons of how they actually operate, so the percentages might not be 1/12<sup>th</sup> as you go through the year.

The Commission has received a number of grants this year from the Governor's Office, Criminal Justice Division. One already being paid out to departments is \$494,027 for computer equipment. We will hopefully get two more grants in the next couple of months, one for \$293,000 for servers and equipment at the Commission and one for about \$542,000 for equipment to enable video trainings between the Commission and the departments, so that training travel expenses will be saved.

House Bill 4 is the reduction bill that is expected to be voted on by the House this coming week, which will reduce all agencies by over \$1 billion. This includes reducing the Commission's budget by \$7 million.

The Committee substitute of House Bill 1 is expected to be voted on the floor of the House next Friday. This bill restores basic probation services by \$10 million for the biennium. This is one of the areas that the departments use the most, and it fully restores basic probation grants. The Committee substitute bill restored roughly 51% of the funds that have been reduced. And 77% of the direct aid to the departments has been restored. The total is \$38 million in restoration for the grants, and the remaining amount is \$1.5 million to continue to roll out the Juvenile Case Management System (JCMS).

The committees in all areas at the Capitol have been very receptive and supportive of grant simplification. There is still very strong accountability language in the Appropriations Bill to how we will report working with departments, but we will be able to give them a dramatic amount of flexibility in how those funds are allocated.

The Appropriations Bill has not added any money back to the Juvenile Justice Alternative Education Program (JJAEP); the actual appropriation is planned to be \$17 million, which is a \$5 million decrease. There was an item in Article 11 of the Appropriations Bill saying if some funds were to become available, additional JJAEP funds could be appropriated. The restored funds are contingent on the legislature accessing the rainy day fund, and the comptroller doing a tax amnesty program where people who will pay their taxes will get a discount on the penalties.

The Legislature agreed that the Commission should be able to retain any funds returned from the departments to recirculate back to the counties. In the past, funds that have not been used would go back to the State Treasury. Now they're granting permission that those checks coming back can be put in the Community Corrections line and sent back to the departments the following year.

Work continues with the Capitol in trying to work through the Title IV federal funds that have been declining over the last decade. Some progress has been made, but still needs to continue.

Most of the information provided is from the House side. The Senate has taken up very little individual detail in regard to the Commission.

No action was required for this item.

**5. TJPC Advisory Council Update – D. Vance**

*Note: This item was inadvertently taken out of order, after item #6 on the agenda. Doug Vance gave the report to the board in place of Estela Medina, who could not attend.*

The Advisory Council met on January 31<sup>st</sup> in Austin in conjunction with the Chief's Conference. The next day the workgroup members facilitated regional discussions about consolidation. Concerns and suggestions were passed on to Ms. Spriggs and her staff.

Chiefs have attended various House Corrections, Appropriations and Finance Committee meetings. There have also been discussions with Legislative Leadership regarding the proposed Sunset Bill, House Bill 1915, Senate Bill 653 and other bills with an impact on juvenile probation. Some have attended workgroup meetings of the House Corrections Committee. On March 17, 2011, many chiefs attended a briefing by the Texas Appleseed Foundation.

Priorities include a request for restoration of any budget cuts; that it is a system that is focused on juvenile probation with a priority on local community based alternatives, in lieu of institutionalization; a continued participation of the field in matters affecting juvenile probation statewide; and the support and development of programs geared to address the needs of juveniles in state operated facilities. The Advisory Council has a couple of meetings scheduled for April 2011.

Commissioner Conley said the status quo would not be acceptable to anybody at this current time and wants to make sure that is not the case, and that the Council is working on ways to improve services with the limited resources there are available.

Mr. Vance stated what's exciting to him about this potential merger is the opportunity to create a true partnership. They go back to the regional associations and talk about the items that are discussed at the subcommittee meetings and get their input. The Council is bringing all the minds together in regional areas to the state level to discuss options.

Item #10 on the agenda that Cindy Weisinger will discuss is a perfect example of how there were some concerns from the field with the proposed standard on officer certification. There's another standard the Council is going to bring up maybe at the next board meeting. Mr. Vance got a subcommittee of different psychologists around the state to work on the standard, 343.600.

The one fear of a merger is that maybe there's a sort of evidence-based practice that only can be used. We want to make sure we have the freedom to be creative. We like the idea of researched services and programs. We want to make sure we still have the flexibility at the local level to create the programs and services, measure them, look for success and make adjustments, rather than being restricted to some sort of program that we all have to use statewide.

The Council has worked very hard at making sure that there's a local control because, quite frankly, we're the ones that make a difference with the kids. Most of the kids, as you know, are going to be on the front end, so these bullet points might not have connoted that correctly, but we are looking for ways to improve all the time.

No action was required for this item.

**6. Update on Allegations of Abuse, Neglect and Exploitation for Fiscal Year 2011 – K. Dubose**

So far through February, fiscal year 2011, there were 236 allegations of abuse, neglect or exploitation. As in the past, the majority of the allegations, 118, come from secure detention facilities, with secure placement, or post-adjudication facilities, being the second largest reporting entity, with 76 reported. Consistent with years past, the most frequently reported type of allegation is physical abuse-physical restraint. 80 of the 236 are physical restraint, and 51 are physical abuse non-restraint. There have been 6 "reason to believe" findings, 23 "ruled out" findings, and 57 that "did not meet the definition" of abuse.

There has been a steady decline since 2008 in the number of allegations that have been reported. As of right now, we have 236 allegations and 414 serious incidents that have been reported through February. That decline has come about during a time when the reporting time frames and the reporting requirements have become more stringent. It's also been during a time that we've implemented the ANE call line, which many thought would end up elevating or inflating our numbers of allegations reported. Having direct contact with the

kids has allowed us to better classify the complaints as grievances or allegations of abuse. This has allowed us to focus more on actual allegations of abuse.

At this time in fiscal year 2010, there were 291 allegations and we're currently at 236, a 19% decrease. Abuse and neglect allegations have consistently decreased between 15-20% this fiscal year as compared to last year.

No action was required for this item.

## **7. Variance Committee Report – J. Boyd**

### **a. Review, Discussion and Possible Action Regarding 4 M Granbury Real Estates' / 4 M Granbury Youth Services' (i.e., Granbury Regional Juvenile Justice Center) Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.226 Related to Natural Light in Specialized Housing**

The TJPC Variance Committee recommends that the request for a permanent variance be approved. This recommendation is based on the required authorization criteria, and with the following special conditions:

- 1) The variance is limited to the rooms the applicant currently identifies as Seclusion/Isolation rooms 122, 229, and registered individual sleeping quarter (room) 190;
- 2) The variance is contingent upon the applicant's creation and maintenance of, and adherence to, policies, procedures and practices that ensure the Seclusion/Isolation rooms 122, 229, and registered individual sleeping quarter (room) 190, are only used when on-pod seclusion and isolation have been fully and formally assessed and determined to be inappropriate;
- 3) The variance is contingent upon the applicant's creation and maintenance of, and adherence to, policies, procedures and practices that ensure residents assigned to Seclusion/Isolation rooms 122, 229, and registered individual sleeping quarter (room) 190, are afforded appropriate opportunities for outdoor recreation and/or meaningful exposure to settings with natural light; and
- 4) The variance is contingent upon the applicant's willingness to maintain, and make available to the TJPC for review, usage statistics for the Seclusion/Isolation rooms 122, 229, and registered individual sleeping quarter (room) 190. These statistics would minimally include type of assignment (i.e., behavior seclusion, medical isolation, assessment isolation, and protective isolation), duration of in-room assignments, frequency of out-of-room assignments, frequency of out-of-room outdoor activity, and suicide risk classification status.

A **motion** was made by Commissioner McClendon and **seconded** by Commissioner Shults to approve the permanent variance requested by the Granbury Regional Juvenile Justice Center related to Natural Light in Specialized Housing with the above stated conditions. Motion passed unanimously.

### **b. Review, Discussion and Possible Action Regarding Bexar County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.352 Related to Resident Visitation**

The TJPC Variance Committee recommends that the request for a permanent variance be approved. This recommendation is based on the required authorization criteria, and with the following special conditions:

- 1) This variance is strictly limited to the Department's "Weekend Program" operated within the secure post-adjudication correctional facility registered as the "Mission Road Center" located at 600 Mission Road, San Antonio, Texas;
- 2) This variance is based on the accurate portrayal of the Program's operating practices as represented in the application for variance (dated: 11/10/2010), the supplemental program descriptions contained in the Daily Schedule (dated December 2010), and Resident Handbook (as revised 12/16/10);
- 3) This variance is limited to the standard's subsections (a), (b), and a selected provision/application of subsection (c); and
- 4) Regarding subsection (c), the Program shall still be required to provide the resident's parent, legal guardian or custodian written rules and/or guidelines regarding visitation, or in this case, the prohibitions against non-emergency visitation. However, rather than an emphasis on an actual visitation schedule, the written document shall be designed to provide the parent/guardian/custodian notice that visitation is only allowed in emergency situations, what circumstances constitute an emergency visitation, and how to request

emergency visitation privileges.

A **motion** was made by Commissioner Shults and **seconded** by Commissioner Ordoñez to approve the permanent variance requested by Bexar County related to resident visitation with the above stated conditions. Motion passed unanimously.

**c. Review, Discussion and Possible Action Regarding Bexar County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.354 Related to Limitation of Resident Visitation**

The TJPC Variance Committee recommends that the request for a permanent variance be granted. The recommendation is based on all required criteria being met and with the special conditions listed below:

- 1) This variance is strictly limited to the Department's "Weekend Program" operated within the secure post-adjudication correctional facility registered as the "Mission Road Center" located at 600 Mission Road, San Antonio, Texas;
- 2) This variance is based on the accurate portrayal of the Program's operating practices as represented in the application for variance (dated: 11/10/2010), the supplemental program descriptions contained in the Daily Schedule (dated December 2010), and Resident Handbook (as revised 12/16/10); and
- 3) The standard's subsection (b) requirements are not subject to this variance, in that the Program shall be required to maintain policies, procedures, and practices that facilitate emergency visitation for residents, and shall not deny emergency visitation privileges as a result of a disciplinary sanction.

A **motion** was made by Commissioner Conley and **seconded** by Commissioner McClendon to approve the permanent variance requested by Bexar County related to limitation of resident visitation with the above stated conditions. Motion passed unanimously.

**d. Review, Discussion and Possible Action Regarding Bexar County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.358 Related to Resident Telephone Privileges**

The TJPC Variance Committee recommends that the request for a permanent variance be granted. The recommendation is based on all required criteria being met and with the special conditions listed below:

- 1) The terms of this variance are strictly limited to the Department's "Weekend Program" operated within the secure post-adjudication correctional facility registered as the "Mission Road Center" located at 600 Mission Road, San Antonio, Texas;
- 2) This variance is based on the accurate portrayal of the Program's operating practices as represented in the application for variance (dated: 11/10/2010), the supplemental program descriptions contained in the Daily Schedule (dated December 2010), and Resident Handbook (as revised 12/16/10);
- 3) The standard's subsection (b) requirements are not subject to this variance, in that the Program shall be required to maintain policies, procedures, and practices that facilitate emergency telephone usage for residents, and shall not deny emergency telephone usage privileges as a result of a disciplinary sanction; and
- 4) The standard's subsection (b) requirements are not subject to this to this variance, in that the Program shall be required to maintain policies, procedures, and practices that ensure the parent, legal guardian, or custodian of the resident shall be provided a copy of the facility's policy regarding emergency telephone usage.

A **motion** was made by Commissioner Shults and **seconded** by Commissioner Conley to approve the permanent variance requested by Bexar County related to resident telephone privileges with the above stated conditions. Motion passed unanimously.

**e. Review, Discussion and Possible Action Regarding Bexar County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.360 Related to Resident Mail**

The TJPC Variance Committee recommends that the request for a permanent variance be granted. The recommendation is based on all required criteria being met and with the special conditions listed below:

- 1) The terms of this variance are strictly limited to the Department's "Weekend Program" operated within the facility registered as the "Mission Road Center" located at 600 Mission Road, San Antonio, Texas;
- 2) This variance is based on the accurate portrayal of the Program's operating practices as represented in the application for variance (dated: 11/10/2010), the supplemental program descriptions contained in the Daily Schedule (dated December 2010), and Resident Handbook (as revised 12/16/10);
- 3) The Program shall still be required to adhere to all requirements within TAC 343.606 upon a resident's initial admission (i.e., weekend one) into the secure post-adjudication Weekend Program, but is exempted from having to re-administer or repeat the orientation process with the resident on the subsequent re-admission dates (i.e., weekends two, three and four); and
- 4) New or revised orientation information and/or materials will be provided to previously oriented residents in a timely manner, with all update information/notices being documented in a resident specific record.

A **motion** was made by Commissioner McClendon and **seconded** by Commissioner Shults to approve the permanent variance requested by Bexar County related to resident mail with the above stated conditions. Motion passed unanimously.

**f. Review, Discussion and Possible Action Regarding Bexar County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.600 Related to Pre-Admission Records**

The TJPC Variance Committee recommends that the request for a permanent variance be granted. The recommendation is based on all required criteria being met and with the special conditions listed below:

- 1) The terms of this variance are strictly limited to the Department's "Weekend Program" operated within the facility registered as the "Mission Road Center" located at 600 Mission Road, San Antonio, Texas;
- 2) The authorization of this variance is based on the accurate portrayal of the Program's operating practices as represented in the original application for temporary waiver for TAC 343.600 (DATED 10/25/2010), the amended temporary waiver application narrative (dated 01/04/2011), the variance application (dated: 11/10/2010), the supplemental program descriptions contained in the Daily Schedule (dated December 2010), and Resident Handbook (as revised 12/16/10);
- 3) The requirements enumerated in TAC 343.600's Subsections (3), (4), (6), (8), (9) and (10) are not subject to this variance and the items contained in these subsections shall be completed, received, and reviewed prior to a juvenile's physical admission into the Weekend Program;
- 4) If and when a standards compliant psychological evaluation and/or behavior health assessment cannot be obtained prior to a resident's admission into the Weekend Program the following shall occur:
  - A) Prior to admission the applicable resident candidate's case shall be presented and reviewed by the "Department Staffing Committee" and shall also undergo an additional admission screening procedure described by the applicant as the "Review of Referral Packets";
  - B) A behavior health assessment, minimally containing subsection items (1) – (7), and (9) of the behavior health assessment definition contained in the Compliance Resource Manual, shall be initiated either prior to or upon placement, and be completed no later than 30 calendar days after the resident's final discharge from the Program (typically the Sunday of the 4th weekend assignment). The behavior health assessment process (or the Program's renamed equivalent process/document) shall be overseen by a mental health professional and/or a mental health paraprofessional and shall include a clinical interview; and
- 5) If and when standards compliant medical and dental examinations cannot be completed and/or obtained prior to a resident's admission into the Weekend Program, a formalized Nursing Assessment (as described in a TJPC-Bexar County correspondence dated 03/08/2011) will be completed each weekend when the juvenile reports to the facility to ensure that all medical/dental needs are identified and treated as needed.

A **motion** was made by Commissioner Shults and **seconded** by Commissioner Conley to approve the permanent variance requested by Bexar County related to pre-admission records with the above stated conditions. Motion passed unanimously.

**g. Review, Discussion and Possible Action Regarding Bexar County's Application for Permanent Variance from Title 37 Texas Administrative Code Section 343.606 Related to Resident Orientation**

The TJPC Variance Committee recommends that the request for a permanent variance be granted. The recommendation is based on all required criteria being met and with the special conditions listed below:

- 1) The terms of this variance are strictly limited to the "Weekend Program" within the facility registered as the "Mission Road Center" located at 600 Mission Road, San Antonio, Texas;
- 2) This variance is based on the accurate portrayal of the Weekend Program's operating practices as represented in the application for variance (dated: 11/10/2010), the supplemental program descriptions contained in the Daily Schedule (dated December 2010), and Resident Handbook (as revised 12/16/10);
- 3) The Program shall still be required to adhere to all requirements within TAC 343.606 upon a resident's initial admission (i.e., weekend one) into the secure post-adjudication Weekend Program, but is exempted from having to re-administer or repeat the orientation process with the resident on the subsequent re-admission dates (i.e., weekends two, three and four); and
- 4) New or revised orientation information and/or materials will be provided to previously oriented residents in a timely manner, with all update information/notices being documented in a resident specific record.

A **motion** was made by Commissioner Shults and **seconded** by Commissioner McClendon to approve the permanent variance requested by Bexar County related to resident orientation with the above stated conditions. Motion passed unanimously.

Commissioner Boyd commended Bexar County for its innovative weekend treatment program, and explained many of the standards would not apply to this type of program. Commissioner Shults also commended Bexar County for being innovative and hopes that it is copied in at least other urban areas, and he also commended the Commission staff on their work together with Bexar County to allow this program to continue.

**8. Discussion and Possible Approval of New Chapter 355 Relating to Non-Secure Juvenile Facilities for Final Publication and Adoption in the Texas Register Effective May 1, 2011 – R. Kapur**

*Note: It was requested that New Chapter 355 be published for another 30-day public comment period instead of for final publication and adoption in the Texas Register.*

An error has been found in the definition of Restriction in 355.106(37). Instead of 90 minutes it should read 60 minutes. The standard itself says 60 minutes but the definition says 90 minutes in error. Since there was this error, this request is for a subsequent publication for another 30-day public comment period.

The only public comment was received after the public comment period expired. It was submitted by Williamson County, with a sample of their assessment, which is called the "Millon Adolescent Clinical Inventory." The concern from Williamson County is similar to what the Advisory Council has been looking at, as far as the practice and the cost of having the psychological evaluation no older than 365 days. The Commission will wait until the Advisory Council concludes their research to decide whether or not these changes will carry over to Chapter 355. But as of now, there will be no changes made to 355.410.

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner McClendon to approve New Chapter 355 related to non-secure juvenile facilities to be published for another 30-day public comment period in the Texas Register. Motion passed unanimously.

**9. Discussion and Possible Action on Amending Chapter 344 Relating to a New Certification Category for Initial Publication and 30-day Public Comment Period in the Texas Register – R. Kapur**

These amendments were made pursuing the New Chapter 355, regarding a new certification category to include the Youth Activity Supervisor. These will be people who are not full Juvenile Supervision Officers, but those who will supervise juveniles in non-secure settings. The Commission requests that the board approve these amendments for an initial publication for 30-day public comment period in the Texas Register.

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Ordoñez to approve the amendments made to Chapter 344 for initial publication in the Texas Register for a 30-day Public Comment Period. Motion passed unanimously.

**10. Discussion and Possible Approval of Amendments Made to Chapter 341 Relating to Texas Juvenile Probation Commission to Ensure Consistency with Other Changes of TJPC Standards and to Clarify Certification Requirements for Final Publication and Adoption in the Texas Register Effective May 1, 2011 – C. Weisinger**

*Note: It was requested that Chapter 341 be published for a second 30-day public comment period instead of for final publication and adoption in the Texas Register.*

Initial publication of this chapter was approved at the January 21, 2011 board meeting and public comment was received that resulted in substantial changes, and so publication is requested for an additional 30-day public comment period.

The document shows the initial amendments that were approved in January as well as the proposed changes that are highlighted. Section 341.28(1)(e) adds a youth activities supervisor, the new category that has been put in Chapter 355 and now also Chapter 344.

Item 341.28(1)(f) adds Juvenile Justice Alternative Education Program (JJAEP) staff to who must be certified as defined in Chapter 348. The next change is in 341.28(2)(a) where a clause has been added to address questions about which supervisors may be certified, and this is to clarify that “direct chain of command” is the key determiner. In 341.28(2)(d), certain JJAEP staff as described in Chapter 348 are added as individuals who may be certified.

Item 341.28(3) is added to confirm that qualified individuals may be dually certified as Juvenile Supervision Officers (JSO’s) and Juvenile Probation Officers (JPO’s). The Commission recognizes that quite a few departments do this for professional development purposes, and to ensure that sufficient training in certified staff are available in a crisis situation.

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner McClendon to approve the amendments made to Chapter 341 for a second 30-day public comment period in the Texas Register. Motion passed unanimously.

**11. Review, Discussion and Possible Action Regarding Disciplinary Action in the State Office of Administrative Hearings’ Docket No. 665-10-4999; Texas Juvenile Probation Commission v. Rosetta Jackson, TJPC Certification No. 18770; A Certified Officer (Proposal for Decision and Final Order) – K. Roe**

This item was tabled until the next board meeting on May 20, 2011.

**12. Executive Director’s Report – V. Spriggs  
- Agency Activity Update**

Kaci Sohrt was introduced as the Commission’s new staff attorney.

It was noted again that the Commission’s total administration spending to date is about 2.8%. When the Commission is fully staffed, there are 75 individuals working very diligently to meet the needs of tens of thousands of individuals.

House Bill 1915 by Chairman Madden and Senate Bill 653 by Senator John Whitmire essentially call for the elimination of both TJPC and TYC and the creation of a new front-end focused Juvenile Justice Department. There’s been no action on the Senate Bill, but the House Corrections Committee met twice.

At the first House Corrections Committee workgroup, the Legislative Budget Board came in and did not talk about the bill. They talked about at-risk youth, and you’ve been sent a copy of that report. Based on that discussion, there was talk about creating an office of prevention in this new agency. The next meeting of the workgroup had a presentation by the Sunset Commission staff about their report from the last biennium and then their current report this biennium. They discussed transition teams, lengths of time and how they should be composed, but there were no decisions made.

The House Corrections Committee requested chief probation officers in the room, advocacy groups, Ms. Spriggs and Cherie Townsend to present some language that they’d like to see in the bill, and organizational



charts. In a conversation, Senator Madden discussed having the bill passed by the committee by April 22<sup>nd</sup> at the latest. We should see the substitute of the house bill version by April 15<sup>th</sup> or April 22<sup>nd</sup>.

The Senate Finance Committee had one meeting so far, and it was really just to lay out a picture of the agency budgets. A workgroup was established, the Subcommittee on Public Safety, and Senator Whitmire is the chairman of the committee. Other committee members are Senators Estes, Hinojosa, Lucio, Nelson, Seliger and Shapiro. That body was supposed to meet yesterday to discuss ours and other agencies for the first time. That meeting was canceled and rescheduled for Monday morning.

While agencies are being reduced in funding and in staff, there are bills that create inter-agency councils and the staff on these councils are being paid from the agency's funds. The Commission is currently accountable to about 35 of these councils, and there are new ones being created.

Elkins' HB1850 proposes that a rule may not be adopted by a state agency until the standing committee of each house of the legislature approves the rule by majority vote. It doesn't apply to emergency rules, but any rule promulgated by an agency is not finalized until it has written certification that it has obtained legislative approval.

Cain's HB3300 requires TJPC to establish a panel of county professionals to review agency rules and develop feasibility and cost analysis profiles for each proposed rule. We already have that process in place; this is just a matter of formalizing it. But legislative panels may be created to look at every agency rule when there are already proposed rulemaking statutes that dictate agency rulemaking processes.

Weekly updates will continue to be sent out as the session progresses.

Bill Monroe, Linda Brooke and Lisa Capers are part of a great team, and were recognized for making a critical difference at a very critical time. Because we don't know what's going to happen next there is a high level of uncertainty. Things could really be unstable so it takes everyone working together to keep it all together and going in the right direction.

Commissioner Boyd expressed disappointment about the potential change in combining the two agencies, and is concerned that this move is going to hurt the counties and cost more money in the long run. Commissioner West added that he can't say enough about the dedication that everyone on this board has, and that he hopes that state leadership will have the good sense to keep some of the board as well as TJPC staff. Commissioner McClendon said he had the privilege of taking a tour of Gardner Betts and Estela Medina does a fantastic job. His main concern is keeping the quality of the facilities for our children.

No action was required for this item.

**13. Public Comments – R. West**

No public comments were received at this time.

**14. Adjourn – R. West**

A **motion** was made by Commissioner Boyd and **seconded** by Commissioner Conley to adjourn. Motion passed unanimously. The board meeting adjourned at 10:33 a.m. The next board meeting will be held on May 20, 2011.